

MATTER OF ULANDAY  
In Exclusion Proceedings  
A-30743097

*Decided by Board July 28, 1971*

Appellant, who was admitted to the practice of law in the Philippines, who followed her profession in that country for a substantial period of time prior to coming to the United States and who intends to engage in her profession in this country when she qualifies, is admissible upon presentation of an immigrant visa supported by a labor certification for employment as a legal aide, notwithstanding she intends to work as a general office clerk to maintain herself until she meets the licensing and other local requirements for the practice of her profession in the United States. [*Matter of Ortega*, Interim Decision No. 2055, distinguished.]

EXCLUDABLE: Act of 1952—Section 212(a) (14) [8 U.S.C. 1182(a) (14)]—Immigrant, no valid labor certification.

ON BEHALF OF APPELLANT: Mileston T. Simmons, Esquire  
Phelan, Simmons & Ungar  
517 Washington Street  
San Francisco, California 94111  
(Brief filed)

The 33-year-old single female appellant, a native and citizen of the Republic of the Philippines, applied for admission as a permanent resident on March 7, 1971. She presented an immigrant visa supported by a certification from the Secretary of Labor showing that she was destined to the United States for employment as a legal aide. However, she told the examining immigration officer who conducted her deferred inspection that she proposed to seek work as a general office clerk for the Southern Pacific Railway. Accordingly, her case was referred to a special inquiry officer for an exclusion hearing. On May 10, 1971, said official ordered her excluded and deported from the United States on the above-stated ground, finding that she intended to be employed as a general office clerk rather than in the legal profession. The appeal from said official's decision, which brings the case before this Board for consideration will be sustained.